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upon any given case. Their significance lies in the fact that they inaugurate a new departure in the treatment of constitutional questions. When we speak of certain rights as constitutional, we imply that they are not under the absolute control of the legislature. They should therefore not yield to legislative restraint, unless the welfare of the community demands it. Whether there is such a demand or not, is a question of fact. Judicial control must therefore mean that the courts can go into the question of fact, and it is the full realization of this logical consequence of the principle of judicial control which constitutes the striking feature of the Brandeis briefs. They recognize the difficulty of the task imposed upon the courts, and seek to place them in a position where they can exercise their control intelligently and upon a basis of full information. They go upon the theory that where facts are not notorious those who propose to interfere with private contracts and arrangements must be prepared to show to the courts that there was a body of enlightened scientific opinions which supported the legislative judgment. Along this path lie safety and justice to the different interests affected by industrial legislation. It would undoubtedly be better if all this material were presented to the legislature before it acted. For the present, however, there seems a better chance for exhaustive, scientific, and impartial consideration in the judicial contest. If it is understood that legislation will have to stand a searching test as to its justification in facts and conditions, much of the present uncertainty regarding the validity of legislation will disappear.

From this point of view the most extreme advocates of the doctrine of freedom of contract must join with the friends of progressive labor legislation in welcoming the line of argument taken in Mr. Brandeis' brief.

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*Selections from the Economic History of the United States, 1765-1860.* By GUY STEVENS CALLENDER. Boston: Ginn and Co., 1909. 8vo, pp. xviii+819. \$2.75.

Teachers of the economic history of the United States are placed under deep obligations to Professor Callender for this valuable compilation of readings.

A course of lectures on the subject, even if given in connection with a textbook, can do little more than guide and inspire the student. In the field of descriptive economics concrete problems should be placed before the student by the abundant use of raw material. This concrete material requires careful analysis and leads to close, consecutive thought. Only the largest libraries can furnish this original material; even in these libraries the materials are widely scattered throughout magazines, books, diaries, public documents, etc.; and when the necessary materials are found there is a lack of sufficient copies. This demand for supplementary material has led to the compilation and publication of numerous "Readings." The one under review is equal to the best already on the market.

The editor states that the book is intended to be used as reading to supplement a course of lectures or in connection with a brief textbook serving the same purpose. The book will be found serviceable, also, in general courses in American history that emphasize the economic and social as well as the political and military side of our national development. The editor disclaims any attempt

at making a collection of documents and sources, but the book is largely such material. He insists that it is rather an account of economic affairs by persons who, for various reasons, were in a position to understand them. He further states his object by saying that economic history should (1) describe and explain the economic life of the people at all stages of their development; (2) investigate the relation of economic affairs to politics; (3) attempt to show the influence of economic life upon the social evolution of the country.

The chapter titles are as follows: (1) "The United States in the Economic History of the World"; (2) "Colonial Economy"; (3) "Colonial Policy"; (4) "Economic Aspects of the Revolution"; (5) "Economic Situation and the New Government"; (6) "Foreign Influences"; (7) "Rise of Internal Commerce"; (8) "Transportation"; (9) "Rise of Manufactures"; (10) "Representative Views of the Protective Tariff"; (11) "Currency"; (12) "Settlement of the West"; (13) "The Public Land Policy"; (14) "The Organization of Labor and Capital"; (15) "The Economics of Slavery." The sub-topics are conveniently and logically arranged.

The editor has fourteen brief introductory essays for as many different chapters. These show keen insight into the salient facts of our economic life and seem altogether too short; but perhaps longer introductions would have defeated his main purpose.

The reviewer is of the opinion that each author quoted should have a biographical paragraph; also, that each selection should have a brief statement pointing out its general significance. Both points should be insisted upon if the book is to be of the greatest service to general readers. Again, the reviewer emphatically protests against the proportion observed by the editor. Agriculture—the greatest industry of our history—is almost ignored, and labor is too scantily treated.

In spite of these few defects, the book is a good one and undoubtedly will receive the hearty welcome that its high worth justifies.

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*Responsibility for Crime: An Investigation of the Causes of Crime and a Means of Its Prevention.* By PHILIP A. PARSONS. "Columbia Studies in History, Economics, and Public Law," Vol. XXXIV, No. 3. New York: Columbia University, 1909. 8vo, pp. 194. \$1.50.

This is an explanation of crime on the basis of Professor Giddings' theory of the sociological significance of stimulation and response. Theoretical chapters on criminal classes, punishment, and heredity and environment are followed by critical discussions of the death penalty, prison system, jury, justice and restitution, and propagation. The concluding chapters give the author's remedy and wander afield into education and progress.

To the economist perhaps the central point of interest should be the treatment of environment and heredity. If criminals are in the main criminals by environment the diminution of crime is a relatively simple process—remove the kind of environment that produces criminals. If, however, there is a